

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DAVID L. DEARING,

Case No. 2:17-cv-02937-RFB-PAL

Petitioner,

ORDER

v.

SHERIFF JOE LOMBARDO, et al.,

Respondents.

This is David L. Dearing's *pro se* 28 U.S.C. § 2254 petition for a writ of habeas corpus (ECF No. 5). Dearing sought to serve the petition on Clark County Sheriff Joe Lombardo. However, the summons was returned unexecuted twice because Dearing failed to furnish the U.S. Marshal with the required USM-285 form and then failed to furnish the USM-285 form again when the court gave him a second opportunity (*see* ECF Nos. 6, 7, 8, 9, 10, 12). Since that time, petitioner has taken no action and has not contacted the court in any manner. Accordingly, this petition is dismissed for failure to comply with this court's order.

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1 **IT IS THEREFORE ORDERED** that the petition is **DISMISSED** with prejudice for
2 failure to comply with this court's order.

3 **IT IS FURTHER ORDERED** that a certificate of appealability is denied.

4 **IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and close
5 this case.

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7 DATED: 15 April 2020.

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11 RICHARD F. BOULWARE, II
12 UNITED STATES DISTRICT JUDGE
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